

REMARKS

Applicants submit that no new matter has been introduced by the amendments to the claims. Claims 1-34 and 42-46 are pending. No claim 39 was originally filed, but is noted as canceled for the record. Claims 1, 26, 27, 44, 45, and 46 have been amended. Reconsideration and allowance of all pending claims is respectfully requested in view of the following remarks.

Claims 26, 27, 44, 45, and 46 are being amended to overcome the claim objections regarding the use of “operable to” language. Accordingly, Applicants respectfully request the objections be withdrawn.

Rejections under 35 U.S.C. § 101

Claims 1 and 26 are being amended, in response to rejections based on 35 U.S.C. § 101. Claims 1 and 26 have been amended to tie the claims to a machine, resulting in a concrete, useful, and tangible result. Accordingly, Applicants respectfully request the rejection of claims 1-15, 26-34, 42-44 and 46 under 35 U.S.C. § 101 be withdrawn.

Rejections under 35 U.S.C. § 102

Claims 1-2, 7-16, 18-21, and 23 stand rejected under 35 U.S.C. 102(e) as being anticipated by Williamson et al. (US 6,915,519, hereinafter, “Williamson”).

Regarding claim 1, Applicants respectfully traverse the rejection. Specially, the Office Action fails to cite each and every element of claim 1. To give one example, “...the first queue employing an architecture other than a publication/subscription type notification” is not explicitly shown in the cited reference. The language of the claim specifically calls for a first queue employing an architecture other than a publication/subscription type notification. Applicants respectfully submit that a queue being cast as “an appropriate JMS resource type” does not imply that the queue was not a JMS type of queue, as stated on page 10, Paragraph A of the Office Action.

The language of Williamson, as summarized in the Office Action, appears to leave out a few key words, significantly changing the meaning. The language of the Office Action refers to the “JMS requested resources” being casted by the application as the appropriate type. However, in the Office Action on page 10, paragraph A, the office action states “...Since Williamson shows a queue being casted as a JMS resource type, it implies the original queue was not a JMS type of queue, i.e. a publication subscription notification type...” This logic appears contradictory to the sentence in the

Office Action just before, which states that “Applications specification on page 3, paragraph 9, shows that a publication/subscription notification type of architecture may take the form of a Java Message Service (JMS) [API].” The Office Action cannot argue that the original queue “was not a JMS type of queue,” if it admits a publication/subscription type architecture is one form of a JMS resource type. In other words, if publication/subscription is considered a valid JMS form, then the cited language cannot show that the original queue “had an architecture that is other than a publication/subscription type notification.”

Notably, Application Program Interface or “API,” as found in the spec on page 3, paragraph 9, was left off of the quote in the Office Action on Page 10, Paragraph A, and makes the logic of the rejection unsupportable. For example, the Office Action on page 10, section A states that “Since Williamson shows a queue being casted as a JMS resource type, it implies the original queue was not a JMS type of queue, i.e. a publication/subscription notification type...That is, the original queue had an architecture other than a publication/subscription type notification and is later casted into a publication/subscription notification in the form of JMS.” The quoted section of column 7, lines 15-20, however does not mention the particular queue type in any way. Rather, the quoted section simply gives an example of an appropriate JMS resource type to which a resource may be cast (“e.g., JMS Queue.”), while admitting that publication/subscription may be a JMS API. To summarize, there is no showing of a first queue being of an architecture other than a publication/subscription type notification where the reference simply gives an example of casting a resource as the appropriate JMS resource type.

At least because Williamson does not show this element, Applicant respectfully requests the rejection under 35 U.S.C. 102 be withdrawn.

Because claims 2, 7 - 15, and 44 depend from independent claim 1, claims 2, 7-15, and 44 should be allowable for at least the same reasons.

Regarding claim 16, multiple elements, comprising specific components, are not specifically mentioned in the combined rejection of claims 1 and 16. Applicants respectfully request if Examiner feels Williamson indeed includes each and every element of the claim, that they be distinctly pointed out, as is required under 35 U.S.C. § 102. Because claims 18-21, 23, and 45 depend from independent claim 16, claims 18-21, 23 and 45 should be allowable for at least the same reason.

Rejections under 35 U.S.C. § 103

Claims 3-6, 17, 22, 24-34, and 43-46 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Williamson in view of Wookey (US 2004/0230982).

With regard to the rejection of claims 3-6, 17, 22, 24 and 25 under 35 U.S.C. § 103, Applicants submit that Wookey does not overcome the deficiencies of Williamson and, therefore, Applicants respectfully submit that Claims 3-6, 17, 22, 24 and 25 is allowable for at least the same reasons and independent claims 1 and 16, from which they depend.

With regard the rejection of claim 26, Applicants respectfully traverse the rejection. The first element of claim 26 recites “a first component to communicate messages with a publication/subscription notification type queue.” The Office Action cites to column 4, lines 3 - 6 which states “A PTP messaging product allows a messages producer to specify a specific queue for holding the message, and message consumers may specify a certain queue to hold their messages.” Nowhere in the cited language of Williamson is there any mention of a component to communicate messages with a publication/subscription notification type queue. Rather, the cited portion specifically mentions a point-to-point to queue.

Wookey discloses a system for assembling business processes using intellectual capital processing, where processing engines can subscribe to a number of datatypes and are capable of publishing a datatype (see Abstract). Because Wookey does not overcome the deficiencies of Williamson, the combination of Wookey and Williamson fails to teach the claimed invention. Accordingly, Applicant respectfully requests the withdrawal of the rejection of claim 26 under 35 U.S.C. 103(a). Claims 27-34, 42-43, and 46, which depend from independent claim 26, should be allowable for at least the same reasons.

CONCLUSION

For the foregoing reasons, and for other apparent reasons, Applicants respectfully request reconsideration and favorable action. If the Examiner feels a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

Applicants believe no fee is due. However, if a fee is due, please charge our Deposit Account No. 50-2816, under Order No. 11000060-0033 from which the undersigned is authorized to draw.

Dated: April 23, 2009

Respectfully submitted,

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